V

App. F. IX-4

1935.
(Law)

File No. 169-35

Previous References
L. R. 342-27-1/5

Serial Nos. 1 – 4

Letter References.

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 4

Part B for May 1936

SUBJECT.

Destruction of files relating to disposed of paupers suits

Sl. 4

20 The Hon Commr Distt
" Dy commrs of Distts
" Commrs of Stamps in Mysore
" Collector

WD 03607—GP.B—22,500—2-8-35

No P-7289-99 Dated 2nd May 1936

Issuing instructions with regard to the destruction of the files reports

Chief Clerk 4/6/1936

Destruction of disposed of Pauper suit files. (1

5701

General and Revenue Secretariat | Law File No. 169 of 1935. | [App. F. III—2

Serial No.

From,

The R[e].

no. e. 2538/33 dt 18.3.36 stating that the period of preservation of pauper suit files which have been disposed of, has not been specified in record sorting rules dt 3.3.30 and that the D[r] Harijan's opinion that the disposed of files may be destroyed 3 yrs after the expiry of the period of limitation, and recommending in the circumstances pointed out that the said records may be ordered to be destroyed 3 yrs after the expiry of the period of limit[n]?

1) There seems no use of preserving the disposed of files for any ~~longer~~ period more than 3 yrs. The R[e]'s recommendation may be app[d].

Sub[d] for orders.

Isd 16/3.

2) Is it in these files that Exec[n] of decrees passed for recovery of institution fees due in pauper suits are being watched & carried on in the D[r]'s ~~H~~ office? or Are these files useful or necessary for that purpose?

MRL 16/3

NOTE.—Contn. Sheet.

WD 03594—GPB—30,000—13-7-35

Destruction of disposed of paupers suit file

6441 S701

Law File No. 169 of 1935. General and Revenue Secretariat

3) Yes, but it is proposed to destroy the record only after the amount due is received or written off.

TSD 17/3 4) This is the recommendation of the Dy of Store & Supdt but what is RC's recommendation?

PRL 17/3.

18 MAR 1936 5-0 9

5) The P.W.D. is not clear on the point. Dy engineer mbr. I have revised the draft.

TSD 18/3 6) For perusal before issue

Guernsey PRL 18/3

Dwd 18/3

7) Issue PRL 18/3

Issued no. P. 6344 d 20.3.36

Sus A 23/3

Dwd.

The RC

No. C. 3438/1936 d 20.4.36 stating the proposed destruction of papers in respect of the disposed of cases in case in which the amounts due by pauper have been fully received or written off.

Subd for orders vide ref^e to para 1-6 supra.

TSD 24/4

Destruction of records in Secretariat.

(7

General and Revenue Secretariat | Low File No. 169 of 1935. | [App. F. III—2

Serial No.

I think that the record of the Case in which the amount has been fully recovered may be destroyed a year after the recovery as proposed by the D.C. Bangalore and those of the cases in which the amount is written off, 3 years after such write off as suggested by the D.C. Mysore

(Sd) 24/4

This may be approved

Sd 25/4/36

First Member

Sd 25/4

Sd 25/4

Sd 25/4

Sd 25/4

...D/f G.O. should

TSD 29/4

Issue Sd 29/4

GENERAL DEPT. 24 APR. 1936 228

OFFICE OF THE FIRST MEMBER (FINANCE) COUNCIL 25 APR. 1936 1758

TYPING SECTION 28 APR. 1936 GENL & REVENUE SECTT.

NOTE—Contn Sheet.

WD 03594—GPB—30,000—13-7-35

6441 (4

Law File No. 169 of 1935. General and Revenue Secretariat

To,

Re RC

DCs'

Comm^r of Stamps

Comptroller

S.O. no. B. 7269-95 dated 3.5.36

directing re destruction of records

in paper mills.

B

4/5/36

Laws 169-35 5/301/35

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE,

C.2588/35-36

Dated Bangalore, 12th March *193* .

13 MAR 1936

From

K.V.Anantaraman.Esq.B.A.,
Revenue Commissioner in Mysore.

CHIEF SECRETARY 13 MAR 1936

A.V.Ramanthan.Esq.B.A.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

Sir,

In forwarding herewith a copy of letter No.R1.C.1402/33 dated 20th December 1933 from the Deputy Commissioner, Hassan District re. the period of preservation and destruction of disposed of Pauper suit files dealt with in the Revenue Department, I have the honour to state that the period of preservation of these papers has not been specified in Record sorting Rules prescribed in Government order No.R.5973-6032/-.R. 342427-5 dated 3rd March 1930. The Deputy Commissioner, therefore suggests that as the register maintained in this connection gives all the particulars required in each case and as the period of limitation allowed in each case is 3 years, the disposed of files may be destroyed three years after the expiry of the period of limitation.

The Deputy Commissioners of Bangalore and Mysore were consulted in the matter. The Deputy Commissioner, Bangalore District, has stated that these records need not be preserved for more than a year after the recovery or writing off of the dues, while the Deputy Commissioner of Mysore has stated that they need not be preserved for more than 3 years after the amounts have either been recovered or remitted.

I recommend that these records may be ordered to be destroyed 3 years after the expiry of the period of limitation as suggested by the

(3

Letter No.R1.C.1402-33 dated 20-12-1933,from the Deputy Commissioner,Hassan District,to the Revenue Commissioner in Mysore.

Re. the period of preservation and destruction of disposed of pauper suit files dealt with in the Revenue Department and given to records for being filed.

I have the honour to state that it has come to my notice that the disposals relating to pauper suits received in the record room for preservation have not been eliminated for destruction from the year 1920-21 up till now. The period of preservation is not specified in the revised rules prescribed in G.O.No.R.5978-6082/L.R.242-27-5 dated 6-8-1930.

Such records do not require preservation for an indefinite period. As the register shows all the particulars required in each case and as the period of limitation allowed in each case is 3 years each disposed of file may in my opinion be preserved for a further period of 3 years i.e. for a total period of 6 years.

As the elimination of these records for destruction is held up for want of definite rules, I await the issue of necessary instructions in the matter at an early date.

C o p y.

M. N. Anantha Murthy.

For Revenue Commissioner.

HSB

4

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P 6324 Law 16-9-35-2 Dated, Bangalore, 19th March 1936

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Revenue Commissioner in Mysore,
Bangalore.

Sir,

With reference to your letter No.C.2538/33-34 dated the 13th March 1936 soliciting sanction of Government to the destruction of the disposed of pauper suit files, 3 years after the expiry of the period of limitation, I am directed to enquire whether the proposed destruction of the records is in respect of the cases in which the amount due to Government is recovered or written off or in respect of cases in which further execution of decrees for recovery of institution fees due in pauper suits have to be watched and carried on in the Deputy Commissioner's office. If it is the latter, I am to enquire if the files proposed for destruction would not be useful or necessary for the execution of decrees passed for recovery of institution fees due in pauper suits. I am to point out that the period of 3 years is only for filing a fresh application for execution and this period is counted not only from the last date on which a step in aid of execution is taken. If such steps in aid are taken once in 3 years, a fresh application to execute the decree can be filed at any time within 12 years of the date of the decree.

I have the honour to be,

Sir,

Your most obedient servant,

for General Secretary to Government.

Something left out
Please complete
and send

19/3

psk-2

Appendix F G—1]

SUBJECT.....

.....

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Section Law

File No. 169-35

Serial No. 2

Diary No. of letter replied to.....

No. P6324

To

The R.C.

General and Revenue Secretariat

( )

the *193*

Sir,

Date of issue 20.3.36

With reference to your letter no. C. 2537/33-34 dt 13.3.36 soliciting sanction of Govt to the destruction of the disposed of pauper suit file, 3 years after the expiry of the period of limitation, I am directed to enquire whether the proposed destruction of the records is in respect of the cases in which the amount due to Govt is received or written off or in respect of cases in which further ~~the fate, year~~ execution of decree for recovery of institution fee due in pauper suits are being have to be varied and carried on in the D.C.'s office.

Signed by Mr. Asstt. Sec. M.R.I.

List of enclosures.....

Copied by Bm 19.3

Examined by.....

WD 03601—GPB—30,000—23-9-35

ATO

(6

If it is the latter, I am to enquire if the files proposed for destruction would not be useful or necessary for taking the execution of decrees passed for recovery of institution fees due in pauper suits. I am to point out that ~~though~~ the period of 3 years is only for filing a fresh appln for execution & this period is counted not only from the date of the decree but also from the last date on which a step in aid of execution is taken. If such steps in aid are taken once in 3 years, a ~~decree~~ fresh ~~can be kept alive for~~ appln to execute the decree can be filed at any time within 12 years of the date of the decree.

I have etc

Qud
1873

pol Forly. 5

Law 169-35-2 644/235

OFFICE OF THE REVENUE COMMISSIONER,
IN MYSORE,

No. C.2538/35-36.

Dated, Bangalore, 17th April *1936*.

20 APR 1936

FROM

K.V. Anantaraman, Esq., B.A.,

Revenue Commissioner in Mysore.

To

M. Venkatesa Iyengar, Esq., M.A.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
General Department, Bangalore.

20 APR. 1936

SIR,

With reference to your letter No.P.6324/Law. 169-35-2 dated 20th March 1936 regarding the destruction of the disposed of Pauper Suit files dealt with in the Revenue Department, I have the honour to state that the proposed destruction of papers is in respect of the disposed of cases i.e., cases in which the amounts due to Government have been fully recovered or written off and not in respect of cases in which further execution of decrees has to be resorted to.

I have the honour to be,

S i r,

Your most obedient servant,

K. Anantaraman

Revenue Commissioner.

BR.

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

Diary. No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

Date of issue 2-5- ...193 6

Signed by Mr N. R. J.

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the press?

(vi) published in the Gazette, Kannada Part?

29.4.36

Section Law

File No. 169-35

Serial No. 4

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read— G.O. no. R-5973-6032 d 3-3-30 issuing the revised rules for sorting, preservation destruction and the inspection of revenue records in all the Districts and Taluk offices.

2. Correspondence ~~Order thereon. No.~~ ending with the letter no. C. 2538/35-36 d 20.4.36 stating that the period of presentation of papers relating to disposed of paper suit file has not been specified in the G.O. d 3-3-30 and recommending in the circumstances pointed out

(9

that the records in which the amounts due to Govt in pauper suits have been fully received or written off may be ordered to be destroyed 3 years after the expiry of the period of limitation

Order:— P 7289-99.

Govt direct that the records of the Cases in which the institution fee due to Govt has been fully received may be destroyed a year after the recovery and those of the Cases in which the amount due has been written off, 3 years after such write off

List of Enclosure

pol
28/4 Gen Secy
TSD 28/4

To,

Copied by

Examined by

The R.C.
" D.C.'s of the Districts
" Dy: Comm^r of Stamps
" Comptroller

c/s Govt Rep

WD 03602—G.P.B - 22,500—12-7-25